

By the Committees on Governmental Operations; Health Regulation; and Senators Atwater, Fasano and Lynn

585-2417-07

1 A bill to be entitled

2 An act relating to the physician workforce;

3 creating s. 381.4018, F.S.; providing

4 legislative intent; creating the Office of

5 Physician Workforce Assessment and Development

6 within the Division of Health Access and

7 Tobacco of the Department of Health; requiring

8 that the office serve as a coordinating and

9 planning body to assess the state's future

10 workforce needs for physicians; requiring the

11 office to develop strategies for addressing the

12 current and projected workforce needs;

13 specifying additional functions of the office;

14 requiring each allopathic and osteopathic

15 physician in the state to complete a survey

16 concerning the physician's practice as a

17 condition of license renewal; specifying the

18 information to be furnished to the Department

19 of Health in the physician survey; providing

20 for a nondisciplinary citation to be issued to

21 a physician or osteopathic physician who fails

22 to complete the required survey; requiring the

23 department to provide notice of the applicable

24 penalty; requiring the Office of Physician

25 Workforce Assessment and Development to

26 annually analyze and evaluate the results of

27 the survey; requiring the office to report its

28 findings to the Governor and the Legislature;

29 creating the Physician Workforce Advisory

30 Council within the Department of Health to

31 assist the department with respect to physician

1 workforce issues; providing for the membership
2 of the advisory council and terms of office;
3 providing for members of the council to be
4 reimbursed for travel and per diem expenses;
5 providing an effective date.
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7 Be It Enacted by the Legislature of the State of Florida:
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9 Section 1. Section 381.4018, Florida Statutes, is
10 created to read:

11 381.4018 Physician workforce assessment and
12 development.--

13 (1) LEGISLATIVE INTENT.--The Legislature recognizes
14 that physician workforce planning is an essential component of
15 ensuring that there is an adequate and appropriate supply of
16 well-trained physicians to meet this state's future health
17 care service needs as the general population and elderly
18 population of the state increase. The Legislature finds that
19 items to consider relative to assessing the physician
20 workforce may include physician practice status; specialty
21 mix; geographic distribution; demographic information,
22 including, but not limited to, age, gender, race, and cultural
23 considerations; and needs of current or projected medically
24 underserved areas in the state. Long-term strategic planning
25 is essential as the period from the time a medical student
26 enters medical school to completion of graduate medical
27 education may range from 7 to 10 years or longer. The
28 Legislature recognizes that strategies to provide for a
29 well-trained supply of physicians must include ensuring the
30 availability and capacity of quality graduate medical schools
31 in this state, as well as using new or existing state and

1 federal programs providing incentives for physicians to
2 practice in needed specialties and in underserved areas in a
3 manner that addresses projected needs for physician manpower.

4 (2) PURPOSE.--The Office of Physician Workforce
5 Assessment and Development is created within the Division of
6 Health Access and Tobacco of the Department of Health and
7 shall serve as a coordinating and strategic planning body to
8 actively assess the state's current and future physician
9 workforce needs and work with multiple stakeholders to develop
10 strategies and alternatives to address current and projected
11 physician workforce needs.

12 (3) GENERAL FUNCTIONS.--The Office of Physician
13 Workforce Assessment and Development shall maximize the use of
14 existing programs under the jurisdiction of the department and
15 other state agencies and coordinate governmental and
16 nongovernmental stakeholders and resources in order to develop
17 a state strategic plan and assess the implementation of such
18 strategic plan. In developing the state strategic plan, the
19 office shall:

20 (a) Monitor, evaluate, and report on the supply and
21 distribution of physicians licensed under chapter 458 or
22 chapter 459. The department shall maintain a database to serve
23 as the official statewide source of valid, objective, and
24 reliable data concerning the physician workforce.

25 (b) Develop a model and quantify, on an ongoing basis,
26 the adequacy of the state's current and future physician
27 workforce as reliable data becomes available. Such model must
28 take into account demographics, physician practice status,
29 place of education and training, generational changes,
30 population growth, economic indicators, and issues concerning
31 the "pipeline" into medical education.

1 (c) Develop and recommend strategies to determine
2 whether the number of qualified medical school applicants who
3 might become competent, practicing physicians in this state
4 will be sufficient to meet the capacity of the state's medical
5 schools. If appropriate, the Office of Physician Workforce
6 Assessment and Development shall, working with representatives
7 of appropriate governmental and nongovernmental entities,
8 develop strategies and recommendations and identify
9 best-practice programs that introduce health care as a
10 profession and strengthen skills needed for medical school
11 admission for elementary, middle, and high school students,
12 and improve premedical education at the precollege and college
13 level in order to increase this state's potential pool of
14 medical students.

15 (d) Develop strategies to ensure that the number of
16 graduates from the state's public and private allopathic and
17 osteopathic medical schools are adequate to meet physician
18 workforce needs, based on the analysis of the physician
19 workforce data, and develop strategies to ensure that the
20 state's medical schools are adequately funded so as to provide
21 a high-quality medical education to students in a manner that
22 recognizes the uniqueness of each new and existing medical
23 school in this state.

24 (e) Pursue strategies and policies to create, expand,
25 and maintain graduate medical education positions in the state
26 based on the analysis of the physician workforce data. Such
27 strategies and policies must take into account the effect of
28 federal funding limitations on the expansion and creation of
29 positions in graduate medical education. The office shall
30 develop options to address such federal funding limitations.
31 The office shall consider options to provide direct state

1 funding for graduate medical education positions in a manner
2 that addresses requirements and needs relative to
3 accreditation of graduate medical education programs. The
4 office shall consider funding residency positions as a means
5 of addressing needed physician specialty areas, rural areas
6 having a shortage of physicians, and areas of ongoing critical
7 need, and as a means of addressing the state's physician
8 workforce needs based on an ongoing analysis of physician
9 workforce data.

10 (f) Develop strategies to maximize federal and state
11 programs that provide for the use of incentives to attract
12 physicians to this state or retain physicians within the
13 state. Such strategies should explore and maximize
14 federal-state partnerships that provide incentives for
15 physicians to practice in federally designated shortage areas.
16 Strategies shall also consider the use of state programs, such
17 as the Florida Health Service Corps established pursuant to s.
18 381.0302 and the Medical Education Reimbursement and Loan
19 Repayment Program pursuant to s. 1009.65, which provide for
20 education loan repayment or loan forgiveness and provide
21 monetary incentives for physicians to relocate to underserved
22 areas of the state.

23 (g) Coordinate and enhance activities relative to
24 physician workforce needs, undergraduate medical education,
25 and graduate medical education provided by the Division of
26 Medical Quality Assurance, the Community Hospital Education
27 Program and the Graduate Medical Education Committee
28 established pursuant to s. 381.0403, area health education
29 center networks established pursuant to s. 381.0402, and other
30 offices and programs within the Department of Health as
31 designated by the secretary.

1 (h) Work in conjunction with and act as a coordinating
2 body for governmental and nongovernmental stakeholders to
3 address matters relating to the state's physician workforce
4 assessment and development for the purpose of ensuring an
5 adequate supply of well-trained physicians to meet the state's
6 future needs. Such governmental stakeholders shall include,
7 but need not be limited to, the Secretary of Health or his or
8 her designee, the Commissioner of Education or his or her
9 designee, the Secretary of Health Care Administration or his
10 or her designee, and the Chancellor of the State University
11 System or his or her designee from the Board of Governors of
12 the State University System, and, at the discretion of the
13 department, other representatives of state and local agencies
14 that are involved in assessing, educating, or training the
15 state's current or future physicians. Other stakeholders shall
16 include, but need not be limited to, organizations
17 representing the state's public and private allopathic and
18 osteopathic medical schools; organizations representing
19 hospitals and other institutions providing health care,
20 particularly those that have an interest in providing
21 accredited medical education and graduate medical education to
22 medical students and medical residents; organizations
23 representing allopathic and osteopathic practicing physicians;
24 and, at the discretion of the department, representatives of
25 other organizations or entities involved in assessing,
26 educating, or training the state's current or future
27 physicians.

28 (i) Serve as a liaison with other states and federal
29 agencies and programs in order to enhance resources available
30 to the state's physician workforce and medical education
31 continuum.

1 (j) Act as a clearinghouse for collecting and
2 disseminating information concerning the physician workforce
3 and medical education continuum in this state.

4 Section 2. (1) Each person who applies for licensure
5 renewal as a physician under chapter 458 or chapter 459,
6 Florida Statutes, must, in conjunction with the renewal of
7 such license under procedures adopted by the Department of
8 Health and in addition to any other information that may be
9 required from the applicant, furnish the following information
10 to the Department of Health in a physician survey:

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12 1. Did you practice allopathic or
13 osteopathic medicine at any time during the
14 last year in Florida?

15 2. Are you:

16 a. A solo practice.

17 b. A group practice.

18 c. Employed by a hospital.

19 d. Employed by another entity.

20 e. None of the above.

21 3. How many months during the year do you
22 practice in Florida?

23 a. None.

24 b. 1-4 months.

25 c. 5-8 months.

26 d. 9-12 months.

27 4. In what Florida counties do you
28 practice? (You may select up to five counties.)

29 a. How many hours each week do you
30 practice in each county?

31

- 1 5. Does more than 20 percent of your
2 practice include nonclinical work (research,
3 teaching, administration)?
- 4 6. Are you a resident or fellow?
- 5 7. What is the primary specialty area(s)
6 of your current clinical practice? The
7 respondent may indicate his or her specialty
8 practice area based on the specialty programs
9 offered by accredited medical education
10 programs recognized by the American Osteopathic
11 Association, its successor, or a similar
12 national organization, or by the American
13 College of Graduate Medical Education, its
14 successor, or a similar national organization.
- 15 8. How many babies have you delivered
16 during the last year?
- 17 a. I do not deliver babies.
- 18 b. 1-10 babies.
- 19 c. 11-30 babies.
- 20 d. More than 30 babies.
- 21 9. How many diagnostic mammograms have
22 you read or screened during the last year?
- 23 a. Do you read only screening mammograms?
- 24 b. Do you read diagnostic mammograms and
25 breast sonograms?
- 26 c. Do you perform ultrasound and
27 stereotactic core biopsies?
- 28 d. Do you read magnetic resonance
29 imaging?
- 30 10. Do you currently take emergency calls
31 or otherwise work clinically in a hospital

1 emergency department or provide for the
2 immediate, acute care of trauma patients?
3 11. For how many hospitals do you
4 currently take emergency calls?
5 a. None.
6 b. One hospital.
7 c. More than two hospitals.
8 12. During the past 2 years has the
9 number of emergency on-call hours that you work
10 in a hospital emergency department:
11 a. Increased;
12 b. Decreased; or
13 c. Remained the same.
14 13. Do you plan to retire, relocate
15 outside the State of Florida, or significantly
16 reduce the scope of your practice within the
17 next 5 years?
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19 (2)(a) The Department of Health shall issue a
20 nondisciplinary citation to any physician licensed under
21 chapter 458 or chapter 459, Florida Statutes, who fails to
22 complete the survey within 90 days after the renewal of his or
23 her license to practice as a physician.
24 (b) The citation must notify a physician who fails to
25 complete the survey required by this section that his or her
26 license will not be renewed for any subsequent license renewal
27 unless the physician completes the survey.
28 (c) In conjunction with issuing the license-renewal
29 notice required by s. 456.038, Florida Statutes, the
30 Department of Health shall notify each physician licensed
31 under 458 or chapter 459, Florida Statutes, who has failed to

1 complete the survey at the licensee's last known address of
2 record with the Department of Health of the requirement that
3 the physician survey be completed prior to the subsequent
4 license renewal. At any subsequent license renewal, the
5 Department of Health may not renew the license of any
6 physician licensed under chapter 458 or chapter 459, Florida
7 Statutes, until the survey required under this section is
8 completed by the licensee.

9 Section 3. (1) Each year, the Office of Physician
10 Workforce Assessment and Development shall analyze the results
11 of the physician survey required by section 2 of this act and
12 determine by geographic area and specialty the number of
13 physicians who:

14 (a) Perform deliveries of children in Florida.

15 (b) Read mammograms and perform breast-imaging-guided
16 procedures in Florida.

17 (c) Perform emergency care on a on-call basis for a
18 hospital emergency department.

19 (d) Plan to reduce or increase emergency on-call hours
20 in a hospital emergency department.

21 (e) Plan to relocate their allopathic or osteopathic
22 practice outside the state.

23 (2) The Office of Workforce Assessment and Development
24 must report its findings to the Governor, the President of
25 Senate, and the Speaker of the House of Representatives by
26 November 1 each year.

27 Section 4. (1)(a) There is created in the Department
28 of Health the Physician Workforce Advisory Council, an
29 advisory council as defined in s. 20.03(7), Florida Statutes.
30 The council must comply with the requirements of s. 20.052,
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1 Florida Statutes, except as otherwise provided in this
2 section.

3 (b) The council shall consist of five members
4 appointed by the Secretary of Health from recommendations made
5 by the Florida Medical Association, the Florida Osteopathic
6 Medical Association, the Florida Council of Medical School
7 Deans, the Florida Area Health Education Network, and the
8 Florida Hospital Association. Each entity authorized to make
9 recommendations under this section shall make at least two
10 recommendations to the Secretary of Health for appointment to
11 the council. No more than one appointee each shall be made
12 from the recommendations made by each authorized entity.

13 (c) Council members shall be appointed to 4-year
14 terms, but an individual may not serve more than two terms.
15 Any council member who is unwilling or unable to properly
16 fulfill the duties of the office shall be succeeded by an
17 individual chosen by the Secretary of Health to serve out the
18 unexpired balance of the council member's term. If the
19 unexpired balance of the replaced council member's term is
20 less than 18 months, notwithstanding the provisions of this
21 subsection, the succeeding council member may be reappointed
22 by the secretary twice.

23 (d) The council shall meet at least twice annually.

24 (2) The purpose of the council is to review and
25 comment on data analysis by the Department of Health for
26 physician workforce issues and to provide advice and
27 recommendations for the development of additional issues to be
28 incorporated in the survey completed by physicians licensed
29 under chapter 458 or chapter 459, Florida Statutes, upon
30 license renewal, based upon the expertise of the council.

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1 Section 5. This act shall take effect upon becoming a
2 law.

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4 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
5 COMMITTEE SUBSTITUTE FOR
6 CS/SB 770

7 Designates the advisory council as the Physician Workforce
8 Advisory Council.

9 Provides that the council is an advisory council as defined in
10 s. 20.03(7), F.S., and that it must comply with the
11 requirements of s. 20.052, F.S.

12 Provides that the Secretary of Health makes council
13 appointments based upon recommendations of certain
14 associations.
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